

# MINNESOTA EDUCATOR

FEBRUARY 2006

## McCollum introduces bill to fix NCLB

U.S. Rep. Betty McCollum has introduced a major bill that she says will address some of the major flaws of the No Child Left Behind Act (NCLB) and hold the White House and Congress accountable for fully funding the controversial federal legislation.

"During the four years since President Bush's No Child Left Behind Act became law, parents and education leaders across Minnesota have been calling on the White House to ease the needless mandates on public schools and local taxpayers," McCollum said after introducing the Student Achievement and Successful Schools Act (H.R. 4578). "Despite the president's promise to fully fund his education mandates, states and school districts have been shortchanged by more than \$40 billion since 2002. It is clear that reform is needed to address this

massive unfunded burden placed on our schools and taxpayers."

McCollum represents Minnesota's Fourth Congressional District and serves on the Education and Workforce Committee. Her bill specifies that states would not have to fulfill federal testing requirements of NCLB in 2006 and 2007 if they do not receive appropriations that were authorized by Congress in NCLB when it passed into law on Jan. 8, 2002. Minnesota alone faces a shortfall of \$115 million in NCLB funding in 2006, according to figures compiled by the National Education Association.

The measure also addresses other unworkable provisions of NCLB, including its requirements that 100 percent of students be "academically proficient" by the year 2013-14, and that they make "Adequate Yearly Progress"

(AYP) toward reaching proficiency. McCollum's bill would extend the deadline to 2017-18, and require that all standards of NCLB (such as highly qualified teachers) be in place before school progress is measured.

It also calls for additional flexibility in how AYP is measured, including allowing states to use "student growth models" to measure achievement. For example, NCLB currently compares this year's third-graders to last year's third-graders – different sets of students. Therefore, schools receive no credit for growth over time for individual students or the same cohort of students.

The bill also calls for changes in how supplemental services are provided to schools that are not making AYP. Schools would only be mandated to pay for supplemental services for students who have failed tests; pro-



U.S. Rep. Betty McCollum

viders would have to meet a "highly qualified" standard, and schools and school districts would not be prevented from being providers simply because they did not make AYP.

Finally, McCollum calls for performance bonuses for schools that close achievement gaps and a non-partisan study of the effects of NCLB on states and schools.

"We are particularly pleased

that your bill reinforces the recommendations of groups such as the National Education Association, the American Federation of Teachers and the National Conference of State Legislatures, which all have sought to remedy the current law's unrealistic timelines, its disconnect between problems and solutions, and its many illogical and unworkable provisions," Education Minnesota President Judy Schaubach said in a letter to McCollum.

"It has become increasingly clear to educators in Minnesota and elsewhere that NCLB cannot work as intended until it is fully funded, and until it is refocused on improved teaching and learning, rather than bureaucratic rules, paperwork and punishments."

To review a summary of McCollum's bill, go to [www.mccollum.house.gov/](http://www.mccollum.house.gov/).

### Fixing the flaws of NCLB

McCollum's bill was drawn to fix these and other flaws in the No Child Left Behind Act.

- **Unattainable goals.** By mandating that 100 percent of students be proficient by the year 2014, the law sets

schools up for failure. In Minnesota, the legislative auditor predicts that 85 percent of Minnesota's schools will be labeled "failing" by 2014.

- **Fixed targets.** Because progress in a given year is

linked to a fixed target, many schools don't get credit for substantial improvement. Furthermore, this year's third-graders will be compared to next year's third-graders – different sets of students. Therefore, schools

receive no credit for growth over time for individual students or the same cohort of students.

- **Funding.** Congress knew that the goals of NCLB could not be achieved without additional resources and

it set a funding authorization for NCLB for each year. Minnesota will receive an estimated \$111.5 million in Title I funding in 2006, far below the \$190.2 million authorized by Congress.